

third of the revenue created by this bill will go to a community assistance fund to help mitigate the social and economic impacts of this legislation.

Both the Rules and Natural Resources Committees held hearings on this bill, during which time Republicans and Democrats were given the opportunity to offer amendments to the bill. In fact, the Natural Resources Committee held four hearings on this bill that stretched over five different days. During this time, they adopted a bipartisan set of amendments.

After the bill made its way through the legislative process and maintained bipartisan support, the Rules Committee allowed for seven amendments to be considered on the floor. These seven amendments address major issues in the bill. This will give opponents the opportunity to debate on the floor the merits of key issues of the bill. Of the seven amendments allowed under this rule, more than half, five, are Republican amendments.

Mr. Speaker, we all know that this bill is long overdue. It should have been passed decades ago. But it's never too late to strengthen current law so that it preserves the environment, protects communities, and addresses public safety. This legislation does all three.

I commend Chairman COSTA and Chairman RAHALL on crafting a balanced and bipartisan bill. This legislation is proof that we can reap the benefits of our Nation's abundant natural resources while also preserving them for future generations.

Metals like gold, silver and copper help make this country what it is, Mr. Speaker. How we manage these resources going forward will make us what we are in the future.

With that in mind, I urge a "yes" vote on the previous question and on the rule.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 780 OFFERED BY MR. SESSIONS

At the end of the resolution, add the following:

SEC. 3. The House disagrees to the Senate amendment to the bill, H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, and agrees to the conference requested by the Senate thereon. The Speaker shall appoint conferees immediately, but may declare a recess under clause 12(a) of rule I for the purpose of consulting the Minority Leader prior to such appointment. The motion to instruct conferees otherwise in order pending the appointment of conferees instead shall be in order only at a time designated by the Speaker in the legislative schedule within two additional legislative days after adoption of this resolution.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. MATSUI. I yield back the balance of my time and move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the

point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of H. Res. 780, if ordered; and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 194, not voting 17, as follows:

[Roll No. 1027]

YEAS—221

Abercrombie	Hare	Obey
Allen	Harman	Oliver
Andrews	Hastings (FL)	Ortiz
Arcuri	Herseth Sandlin	Pallone
Baca	Higgins	Pascarell
Baird	Hinchey	Pastor
Baldwin	Hinojosa	Payne
Bean	Hirono	Perlmutter
Becerra	Hodes	Peterson (MN)
Berkley	Holden	Pomeroy
Berman	Holt	Price (NC)
Bishop (GA)	Honda	Rahall
Bishop (NY)	Hooley	Rangel
Blumenauer	Hoyer	Reyes
Boren	Inslee	Richardson
Boswell	Israel	Rodriguez
Boucher	Jackson (IL)	Ross
Boyd (FL)	Jackson-Lee	Rothman
Boyda (KS)	(TX)	Roybal-Allard
Brady (PA)	Jefferson	Ruppersberger
Braley (IA)	Johnson (GA)	Rush
Brown, Corrine	Johnson, E. B.	Ryan (OH)
Capps	Jones (E)	Salazar
Capuano	Kagen	Sánchez, Linda
Cardoza	Kanjorski	T.
Carney	Kaptur	Sanchez, Loretta
Castor	Kennedy	Sarbanes
Chandler	Kildee	Schakowsky
Clarke	Kilpatrick	Schiff
Clay	Kind	Schwartz
Cleaver	Klein (FL)	Scott (GA)
Clyburn	Kucinich	Scott (VA)
Cohen	Lampson	Serrano
Conyers	Langevin	Sestak
Cooper	Lantos	Shea-Porter
Costa	Larsen (WA)	Sherman
Costello	Larson (CT)	Shuler
Courtney	Lee	Sires
Cramer	Levin	Slaughter
Crowley	Lewis (GA)	Smith (WA)
Cuellar	Lipinski	Snyder
Cummings	Loebach	Solis
Davis (AL)	Lofgren, Zoe	Space
Davis (CA)	Lowey	Spratt
Davis (IL)	Lynch	Stark
Davis, Lincoln	Mahoney (FL)	Stupak
DeFazio	Maloney (NY)	Sutton
DeGette	Markey	Tanner
Delahunt	Marshall	Tauscher
DeLauro	Matheson	Taylor
Dicks	Matsui	Thompson (CA)
Dingell	McCarthy (NY)	Thompson (MS)
Doggett	McCollum (MN)	Tierney
Donnelly	McDermott	Towns
Doyle	McGovern	Tsongas
Edwards	McIntyre	Udall (CO)
Ellison	McNerney	Udall (NM)
Ellsworth	McNulty	Van Hollen
Emanuel	Meek (FL)	Velázquez
Engel	Meeks (NY)	Visclosky
Eshoo	Melancon	Walz (MN)
Etheridge	Michaud	Wasserman
Farr	Miller (NC)	Schultz
Fattah	Miller, George	Waters
Filner	Mitchell	Watson
Frank (MA)	Mollohan	Watt
Giffords	Moore (KS)	Waxman
Gillibrand	Moore (WI)	Weiner
Gonzalez	Murphy (CT)	Welch (VT)
Gordon	Murphy, Patrick	Wexler
Green, Al	Murtha	Woolsey
Green, Gene	Nadler	Wu
Grijalva	Napolitano	Wynn
Gutierrez	Neal (MA)	Yarmuth
Hall (NY)	Oberstar	